

**NON-PROVISIONAL
UTILITY PATENT APPLICATION
TRANSMITTAL - 37 CFR 1.53(b)**

☐ **Duplicate**
(check, if applicable)

Assistant Commissioner for Patents
BOX PATENT APPLICATION
Washington, DC 20231

Attorney Docket No. 057907-5003-03
First Named Inventor: Fred R. Frankel et al.
Express Mail Label No. EL231895199US
Total Pages of Transmittal Form: 2



Transmitted herewith for filing is the non-provisional utility patent application entitled:

IMMUNOGENIC COMPOSITIONS COMPRISING DAL/DAT DOUBLE MUTANT,
AUXOTROPHIC ATTENUATED STRAINS OF LISTERIA AND THEIR METHODS OF USE

which is:

an ☐ Original; or

- a ☒ Continuation, ☐ Divisional, or ☐ Continuation-in-part (CIP)
of prior of co-pending U.S. Application No. 10/136,253, filed May 1, 2002, now allowed, which is a
divisional of U.S. Application No. 09/520,207, filed March 7, 2000, now issued as U.S. Patent
6,504,020, which is a divisional of U.S. Application No. 08/972,902, filed November 18, 1997, now
U.S. Patent 6,099,848.

Anticipated Group/Art Unit: _____ or Class _____, Subclass _____.

- ☐ This non-provisional patent application is based on Provisional Patent Application No. _____,
filed _____.

Enclosed are:

- ☒ Specification (including Abstract) and claims: 36 pages.
- ☒ Copy of Declaration from prior application.
- ☐ Separate Power of Attorney (including 37 CFR 3.73(b) statement, if applicable).
- ☒ Seventeen (17) Sheets of drawings (formal) plus one copy.
- ☐ Microfiche computer program (Appendix).
- ☒ Please transfer the diskette version of the Sequence Listing from Parent
Application No. 10/136,253 to the present application.
- ☒ Nucleotide and/or Amino Acid Sequence Submission, including:
 - ☐ Computer readable copy
 - ☒ Paper Copy
 - ☐ Verified Statement.
- ☐ Under PTO-1595 Cover Sheet, an assignment of the invention
- ☒ Name of Assignees: The Trustees of the University of Pennsylvania
- ☐ Certified copy(ies) of _____ Application No(s). _____ filed _____ is/are filed:
 - ☐ herewith
 - or
 - ☐ in prior application &@.
- ☒ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R.
§1.27 as ☐ an Independent Inventor, or ☐ a Small Business Concern, or ☒ a Non-Profit
Organization.
- ☒ Preliminary Amendment.

- ☒ Information Disclosure Statement and PTO-1449. Copies of the references cited are not included as they have been filed in the parent Application No. 10/136,253.
- ☐ Request for Nonpublication of Application Under 35 U.S.C. §122(b)
- ☐ Other:

The filing fee is calculated as follows:

			SMALL ENTITY			LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE:			BASIC FEE:	
			\$375			\$750	
Total	6-20 =	0	X9	\$ 0	OR	X18	\$
Independent	1- 3=	0	X42	\$ 0	OR	X84	\$
<input type="checkbox"/> Multiple Dependent Claims Present			\$140	\$	OR	\$280	\$
			TOTAL	\$ 375.00	OR	TOTAL	\$

- ☐ The Commissioner is not authorized to charge the filing fee at this time as we elect to defer payment of the entire filing fee until receipt of a Notice to File Missing Parts.
- ☐ A check in the amount of \$___ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and/or credit **Deposit Account No. 50-0310 (Billing No. 057907-5003-03)** as noted below. A duplicate copy of this sheet is enclosed.
- ☒ Any overpayments or deficiencies in the above-calculated fee.
- ☒ Filing fee in the amount of **\$375.00** as calculated above.
- ☒ Any additional fees required under 37 C.F.R. § 1.16 and § 1.17.
- ☒ In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

CORRESPONDENCE ADDRESS:

September 11, 2007
(Date)

By: Kathryn Doyle
KATHRYN DOYLE, Ph.D, J.D.
Registration No. 36,317
MORGAN, LEWIS & BOCKIUS, LLP
1701 Market Street
Philadelphia, PA 19103-2921
Telephone: (215) 963-5000
Direct Dial: (215) 963-4723
Facsimile: (215) 963-5001
E-Mail: kdoyle@morganlewis.com
Attorney for Applicants

☒ Customer Number or Bar Code Label: **028977**

KD/JDGB/dlm *del*
Enclosures